

### REMARKS

Claims 1-8 are pending in this application. Claims 1, 3 and 4 were allowed while Claims 2, 5 and 6 stand rejected under 35 USC §112, first paragraph. Claims 7 and 8 are objected to as being dependent upon a rejected base claim.

Applicants respectfully traverse the rejection and request reconsideration based on the following remarks, the cancellation of Claim 5 and amendments to Claims 2 and 6.

### REJECTION UNDER 35 USC §112, FIRST PARAGRAPH

The Examiner rejected Claims 5 and 6 under 35 USC §112, first paragraph, because the specification, while being enabling for migraine and neuropathic pain, is not reasonably enablement for all other diseases embraced by the claims. Specifically, the Examiner states that the instant claims cover "disorders" that are known to exist and those that may be discovered in the future.

Applicants have canceled Claim 5 and amended Claim 6 to clearly define the diseases which pertain to the disorders related to the activity associated with KCNQ potassium channel activity. The specification provides both *in vitro* and *in vivo* data to support the utility of the claimed compounds. It should be noted that the control compound used in the neuropathic pain model is gabapentin (Neurotin), a drug approved by the FDA for the treatment of convulsions, epilepsy and management of neuralgia (see Physician's Desk Reference).

In addition to the above diseases related to the disorders modulated by KCNQ channels, Applicants believe that the claimed compounds would be useful for the diseases specifically identified in currently amended Claim 6. To support this assertion, the Examiner is directed to Applicants co-pending patent application to Wu, et al., USSN 10/160,582, having a filing date of May 31, 2002, which was recently allowed by the USPTO and the corresponding International application WO 02/096858 A1, published December 5, 2002. The present Applicants are co-inventors of co-pending

application USSN 10/160,582 which discloses and claims another but different series of compounds useful in the treatment of the same disorders as claimed in the instant application that are responsive to the opening of the KCNQ potassium channels. On pages 15 to 31 of said co-pending allowed US application, the Applicants described additional biological tests to confirm the utility of such compounds (KCNQ modulators) for the treatment of mania, bipolar disorders and anxiety. Thus, Applicants believe the instant compounds would have the same utility based on the data presented in the specification.

In view of the above remarks and cancellation of Claim 5 and amendment of Claim 6, reconsideration of the rejection is respectfully solicited.

**REJECTION UNDER 35 USC §112, SECOND PARAGRAPH**

The Examiner rejected Claim 2 as being indefinite with regard to the definition for the variable "A".

Applicants believe that this is a typographical error and have deleted the variable "A" from the amended Claim 2 submitted herewith.

In view of the foregoing amendments and remarks, Applicants believe that the rejections have been traversed and favorable action on the amended claims is respectfully solicited.

Respectfully submitted,



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